



## **PROVO MUNICIPAL COUNCIL**

### **Redevelopment Agency of Provo**

#### **Regular Meeting Agenda**

5:30 PM, Tuesday, August 02, 2016

Room 200, Municipal Council Chambers

351 West Center

#### **Decorum**

The Council requests that citizens help maintain the decorum of the meeting by turning off electronic devices, being respectful to the Council and others, and refraining from applauding during the proceedings of the meeting.

#### **Opening Ceremony**

Roll Call

Invocation and Pledge

#### **Public Comment**

Fifteen minutes have been set aside for any person to express ideas, concerns, comments, or issues that are not on the agenda:

Please state your name and city of residence into the microphone.

Please limit your comments to two minutes.

State Law prohibits the Council from acting on items that do not appear on the agenda.

#### **Mayor's Items and Reports**

1. A joint resolution of the Provo City Mayor and Municipal Council outlining their concern with the recent proposed standards from the Utah Department of Environmental Quality related to the impact of the wastewater effluent on the chemistry of Utah Lake. (16-091)

If you have a comment regarding items on the agenda, please email or write to Council Members. Their contact information is listed on the Provo website at:

<http://provo.org/government/city-council/meet-the-council>

#### **Adjournment**

Materials and Agenda: <http://publicdocuments.provo.org/sirepub/meet.aspx>

Council Blog: <http://provocitycouncil.blogspot.com/>

The next scheduled Regular Council Meeting will be held on 08/16/2016 at 5:30 PM in the Council Chambers, 351 West Center Street, Provo, unless otherwise noticed. The Work Session meeting start times is to be determined and will be noticed at least 24 hours prior to the meeting time, but typically begins between 1:00 and 4:00pm.

### **Notice of Compliance with the Americans with Disabilities Act (ADA)**

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aides and services) during this meeting are invited to notify the Provo Council Office at 351 W. Center, Provo, Utah 84601, phone: (801) 852-6120 or email [ljorgensen@provo.utah.gov](mailto:ljorgensen@provo.utah.gov) at least three working days prior to the meeting. The meeting room in Provo City Center is fully accessible via the south parking garage access to the elevator. The Council Meeting is also broadcast live Provo Channel 17 at <https://www.youtube.com/user/ProvoChannel17>. For access to past Work and Council Meetings, go to playlists on <https://www.youtube.com/user/ProvoChannel17>.

### **Notice of Compliance with Public Noticing Regulations**

This meeting was noticed in compliance with Utah Code 52-4-202 and Provo City Code 14.02.010. Agendas and minutes are accessible through the Provo City website at [council.provo.gov](http://council.provo.gov). Council Meeting agendas are available through the Utah Public Meeting Notice website at [pmn.utah.gov](http://pmn.utah.gov). Email subscriptions to the Utah Public Meeting Notice are available through their website.

### **Notice of Telephonic Communications**

One or more Council members may participate by telephone or Internet communication in this meeting. Telephone or Internet communications will be amplified as needed so all Council members and others attending the meeting will be able to hear the person(s) participating electronically as well as those participating in person. The meeting will be conducted using the same procedures applicable to regular Municipal Council meetings.

*Network for public access is "Provo Guest", password "provoguest".*



# Provo City Public Works

Staff Memorandum

## Water Reclamation Nutrient Limit Requirement Implications

August 2, 2016

<p><b>Department Head</b> Dave Decker 852-6771</p> <p><b>Presenters</b> Dave Decker 852-6771</p> <p><b>Required Time for Presentation</b> 60 minutes</p> <p><b>Is This Time Sensitive</b> No</p> <p><b>Case File # (if applicable)</b> XX-XXX</p>	<p><b>Purpose of Proposal</b></p> <ul style="list-style-type: none"><li>• Discuss impact of proposed phosphorous and nitrogen effluent limitations on Provo's Water Reclamation Plant and impact on Wastewater rates.</li></ul> <p><b>Action Requested</b></p> <ul style="list-style-type: none"><li>• None</li></ul> <p><b>Relevant City Policies</b></p> <ul style="list-style-type: none"><li>•</li></ul> <p><b>Budget Impact</b></p> <ul style="list-style-type: none"><li>• If the State implements the standards they are proposing it will require significant investment in the wastewater treatment infrastructure. The original 5-year sewer rate increase plan did not factor in revenue needed for these stricter standards, but we believe that changing the sewer base rate philosophy for multi-units now can help raise sufficient revenue to cover these costs by FY2025 without bonding.</li></ul> <p><b>Description of this item</b></p> <ul style="list-style-type: none"><li>• The Utah Department of Environmental Quality has recently classified Utah Lake as an impaired waterway. Along with this designation the State has proposed implementing new standards on treatment plant discharges over the next 4 to 9 years.</li><li>• Through our participation in the Jordan River Farmington Bay Water Quality Council we have been funding scientific studies to help determine the impact</li></ul>
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	<p>of wastewater effluent on the chemistry of the lake. One of our biggest concerns is making millions of dollars in improvement to our wastewater infrastructure with no real improvement in nutrient levels in the lake.</p>
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1 RESOLUTION 2016-  
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3 A JOINT RESOLUTION OF THE PROVO CITY MAYOR AND MUNICIPAL  
4 COUNCIL OUTLINING THEIR CONCERN WITH RECENT PROPOSED  
5 STANDARDS FROM THE UTAH DEPARTMENT OF ENVIRONMENTAL  
6 QUALITY RELATED TO THE IMPACT OF WASTEWATER EFFLUENT ON THE  
7 CHEMISTRY OF UTAH LAKE. (16-091)  
8

9 WHEREAS, the Utah Department of Environmental Quality (DEQ) has recently classified Utah  
10 Lake as an impaired waterway and along with this designation it proposed implementing new standards  
11 on treatment plant discharges over the next four to nine years; and  
12

13 WHEREAS, if the State of Utah implements the proposed standards it will require major  
14 changes to the City's wastewater treatment infrastructure at significant cost to Provo ratepayers; and  
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16 WHEREAS, due to Provo City's involvement in the Jordan River Farmington Bay Water Quality  
17 Council, the City has been funding scientific studies to help determine the impact of wastewater effluent  
18 on chemistry of the lake; and  
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20 WHEREAS, based on these scientific studies, the City is concerned that the millions of dollars of  
21 changes to the wastewater infrastructure required by the proposed standards will not result in any real  
22 improvement in nutrient levels in the lake; and  
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24 WHEREAS, on August 2, 2016, the Municipal Council held a duly noticed public meeting to  
25 ascertain the facts regarding this matter, which facts are found in the meeting record; and  
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27 WHEREAS, after considering the facts presented to the Municipal Council, the Council finds  
28 that (i) Provo City should adopt a joint resolution stating its concern with the proposed standards from  
29 the Utah DEQ, and (ii) such action reasonably furthers the health, safety and general welfare of the  
30 citizens of Provo City.  
31

32 NOW, THEREFORE, be it resolved by the Provo City Municipal Council jointly with the Mayor  
33 of Provo City as follows:  
34

35 PART I:  
36

37 Provo City requests that the Utah DEQ delay action on regulations for water reclamation plants  
38 that discharge into Utah Lake. The proposed regulations are based on broad conclusions being drawn  
39 from the limited data presented in the Department's Integrated Report. The data collected for, and  
40 presented in, the Integrated Report is inadequate without further scientific studies and vetting by the  
41 scientific community to conclude that the quality of Utah Lake will be significantly improved by the  
42 proposed regulations. Due to these inadequacies, the significant and costly changes to reclamation  
43 plants required by the proposed regulations are not justified at this time. If the necessary additional  
44 scientific research does eventually support standards and regulations that require infrastructure changes  
45 in order to make justifiable improvements in the quality of Utah Lake, Provo requests that affected  
46 entities be allowed adequate time to appropriately budget for the required changes.  
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48 The Provo City Recorder shall transmit duly authenticated copies of this resolution to the Utah  
49 Department of Environmental Quality, the Utah Lake Commission Governing Board, the Governor of

50 Utah, the members of the Utah Senate and House of Representative who represent Utah County, and to  
51 the news media of Utah.

52

53 PART II:

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55 This resolution shall take effect immediately.

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57 END OF RESOLUTION.